

The Salisbury Planning Board held its regular meeting on Tuesday, September 28, 2004, in the City Council Chamber of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Len Clark, Dr. James Johnson, Lou Manning, Brian Miller, Rodney Queen, Sandy Reitz, Jeff Smith, Valerie Stewart, Albert Stout, Rev. Jerry Wilkes, and Diane Young

ABSENT: Mitzi Clement

STAFF: Janet Gapen, Dan Mikkelson, Diana Moghrabi, Joe Morris, David Phillips, Lynn Raker

The meeting was called to order by Co-Chairman **Jeff Smith**. The minutes of the September 14 meeting were approved as published. Co-Chairman Smith offered a moment of silence to reflect.

**Janet Gapen** presented an update on the Land Development Ordinance Committee. She covered the route of approval and the route of appeal for group development projects. The approval process will go directly to the Technical Review Committee (TRC). The public would be able to comment on large "Super Target" types of development. Rezoning will continue as they are now: first a recommendation from Planning Board and City Council will make the final decision. These changes are an effort to streamline the approval process. Janet went through a list of items that the developer will have to accomplish prior to submitting an application.

New to the Land Development Ordinance are the Conditional Districts, which are site specific and tied to a site plan; any changes would have to be approved. These applications would go through Planning Board.

Janet reviewed the composition of the Technical Review Committee and introduced the term *transect* as a cross section or a continuum as development moves from urban to rural. The new districting will be ordered in this fashion. She ended the presentation with an invitation to the Planning Board members to attend an LDOC meeting. Meetings are on the first and third Thursdays at 4:30 p.m. in the Council Chamber.

#### COMMITTEE REPORTS

- (a) **Legislative Committee B** (Itinerant Merchants & Concessions) – (L. Clark, ch., S. Reitz, v. ch., R. Queen, J. Johnson, A. Stout) – **Len Clark** reported that the committee met on September 15. One of the primary concerns is the merchants who set up on vacant lots (often without the owner's permission) selling a variety of goods ranging from paintings, sports team related items, to furniture. There is nothing in the current ordinance to address this issue so the committee requested that staff provide them with more information. Mr. Clark stated that it would be difficult to administer, but feels something needs to be in place in the event of a complaint. It is important not to over-legislate in a manner that would interfere with the future of any festivals or organized events that include street merchants. The Planning Board accepted the committee's report that was included in the agenda packets.



- (b) **Downtown B-6 to B-5** (B. Miller, ch.; J. Wilkes, v.ch.; R. Queen and J. Smith) The committee met September 17. The committee has been studying the East and West Phase of the downtown rezoning and would like to proceed with a Courtesy Hearing on October 12. The Board voted unanimously to proceed.
- (c) **Committee 2 – Ro-Medical - G-15-04** (B. Miller, ch.; R. Queen, v-ch.; M. Clement; J. Johnson, Diane Young, alternate) – **Mr. Miller** thanked the Fulton Heights residents and the developer for their participation. He and Diane Young are residents of Fulton Heights. The committee had two early morning meetings since the last Planning Board meeting. The committee brings a motion to recommend the approval of the site plan (3-1 vote) with adjustments to the two entrances on Mitchell Avenue. The first entrance (closest to Lincolnton Road) would be a right turn exit only, and the second entrance on Mitchell Avenue would allow both ingress and egress, but be a right turn only exit.

Brian added that there is a major concern about the speed of traffic in the Fulton Heights neighborhood; however, holding up the process of the site plan would not improve the speed issue. Council will be addressing the speed issue on October 5. Brian does not want the subject to be dropped until the issue is resolved.

**Jeff Smith** noted that there has been a great deal of discussion about the traffic on Mitchell Avenue; that subject will be discussed further at a future time.

**Diane Young** said she was the committee member who voted against the motion, and has since given the matter significant thought. This design being proposed for the two Mitchell Avenue entrances would also cut down on some of the existing traffic. She recommends that the suggested changes occur with more than signage; it should happen by design. It is Diane's hope that the Planning Board will see the site plan changes before it goes to City Council.

**Rodney Queen** supported Diane and added that he didn't think it would be a financial burden to the developer to install this request from the committee. He used Rack Room Shoes at Market Place as an example of how the design could look. The motion was made to recommend approval of the site plan, with adjustments to the site plan allowing the first entrance (closest to Lincolnton Road) be a right turn exit only, and the second one on Mitchell Avenue, which would allow both ingress and egress entrance, a right turn only out, and subject to a revised site plan being submitted to staff prior to City Council approval. (**Dan Mikkelsen** typically asks the developer to have changes made on the site plan before it goes to City Council so the Mayor signs a drawing with such detail included.) **Lou Manning** seconded the motion with all members voting AYE. (10-0)

**Albert Stout** joined the meeting after the vote was taken at 4:35.

- (d) **Legislative Committee A (Sign Ordinance)** – (B. Miller, ch., J. Wilkes, v. ch., L. Manning, V. Stewart, D. Young) The committee met last week and Janet Gapen said the committee continues to struggle with the three-dimensional types of signage. The committee discussed it at length but no specific progress has been made. Staff will prepare a text amendment.

## OTHER BUSINESS

Janet updated the Planning Board on City Council decisions pertaining to Planning Board. There are six public hearings going to City Council on October 5 from Planning Board.

The Rowan-Salisbury School System did not have a problem with the traffic-calming device that was discussed for **G-17-99, Olde Salisbury Phase III** at the last meeting. The developer has been directed to submit a plan for a traffic-calming device there.

**Joe Morris** told Planning Board that Harold Poole received a "Longevity Award" at the Annual NCPA Conference in Asheville. Mr. Poole attended 36 consecutive annual conferences.

**Rodney Queen** made a request to address side setback issues. Staff acknowledged his request and referred the issue to the Land Development Ordinance Committee. This issue is the subject of an upcoming chapter.

The Centralina Council of Governments will be having a training seminar for Planners and Planning Board members on November 30 in Mooresville. Staff will distribute registration information when it becomes available.

## FUTURE COMMITTEE MEETINGS

**Committee 1** (N. Main Small Area Study) – S. Reitz, ch., L. Manning v. ch., J. Smith, A. Stout  
Wednesday, October 6 at 8:30 a.m.  
First floor conference room – City Hall

**Legislative Committee B** (Itinerant Merchants and Concessions) – L. Clark, ch., S. Reitz, v. ch., R. Queen, J. Johnson, A. Stout  
Wednesday, October 6 at 8:00 a.m.  
First floor conference room – City Hall


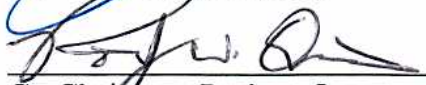
**Legislative Committee A** (Sign Ordinance) B. Miller, ch., J. Wilkes, v. ch., L. Manning, V. Stewart, D. Young  
Friday, October 1 at 8:00 a.m.  
First floor conference room – City Hall

**Downtown B-6 to B-5** –  
Thursday, September 30 at 8:30 a.m.  
First floor conference room – City Hall



There being no further business to come before the Board, the meeting was adjourned.

  
Secretary, Diana Moghrabi

  
Co-Chairman, Jeff Smith  
  
Co-Chairman, Rodney Queen